

UNITED STATES DISTRICT COURT  
for the  
DISTRICT OF MASSACHUSETTS

_____	)	
FRED ROHRBACKER,	)	
Plaintiff	)	
	)	Civil Action
V.	)	
	)	No. 05-11562-RGS
MODERN CONTINENTAL	)	
COMPANIES, INC.,	)	
HARBOR CRUISES, LLC,	)	
BOSTON HARBOR CRUISES, A JOINT	)	
VENTURE,	)	
PROVINCETOWN PUBLIC PIER	)	
CORPORATION, and	)	
PROVINCETOWN-MACMILLAN	)	
REALTY TRUST,	)	
Defendants	)	
_____	)	

JOINT MOTION TO EXTEND THE FACTUAL DISCOVERY DEADLINE

NOW COME the parties, and state as follows:

1. The factual discovery deadline in this case is June 30, 2006.
2. The parties have worked diligently to complete discovery, but, due to the difficulty in working out scheduling among the 5 lawyers in this case, have been unable to complete the depositions in this case.
3. All counsel just held a conference call in which they set up a schedule for the depositions in this case.
4. The parties therefore respectfully request that the factual discovery deadline be extended to August 15, 2006. They do not request extensions of any other deadlines in this case.
5. This request is made in the interests of justice, and not for the purposes of delay.

WHEREFORE, the parties respectfully request that the factual discovery deadline be

extended to August 15, 2006.

Respectfully submitted for  
the Plaintiff, Fred Rohrbacker,  
by his attorney,

/s/ David J. Berg, Esq.  
David J. Berg, Esq.  
Latti & Anderson LLP  
30-31 Union Wharf  
Boston, MA 02109  
617-523-1000

Respectfully submitted for  
the Defendant, Harbor Cruises, LLC,  
by its attorney,

/s/ Edward B. McGrath, Esq.  
Burns & Farrey  
150 Federal Street, 26<sup>th</sup> Floor  
Boston, MA 02110  
617-439-4758

Respectfully submitted for  
the Defendant, Modern Continental, Harbor  
Cruises, LLC, and Boston Harbor Cruises,  
by their attorney,

/s/ Jeanne O. McHugh Esq.,  
Kenner, Engelberg, Bratcher & Whalen  
60 State Street, Suite 600  
Boston, MA 02109-1823  
617-371-4141

Respectfully submitted for  
the Defendant, Provincetown Public Pier  
Corporation,  
by its attorney,

/s/ David C. Hunter, Esq.  
Pierce, Davis & Perritano, LLP  
10 Winthrop Square  
Boston, MA 02110  
617-350-0950

Respectfully submitted for  
the Defendant, Provincetown-MacMillan  
Realty Trust,  
by its attorney,

/s/ Kevin T. Smith, Esq.  
Masterman, Culbert & Tully, LLP  
One Lewis Wharf  
Boston, MA 02110  
617-227-8010

CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the within document with the Clerk of the Court using the CM/ECF system which will send notification of such filing(s) to all counsel of record.

/s/ David J. Berg, Esq.  
David J. Berg, Esq.  
Latti & Anderson LLP  
30-31 Union Wharf  
Boston, MA 02109  
617-523-1000

Dated: May 19, 2006